

wood, of Balt. city, Schley, Fiery, Neill, John Newcomer, Harbine, Davis, Waters, Anderson, Weber, Slicer, Fitzpatrick, Smith, Parke, Shower and Brown—63.

So the Convention refused to reconsider their vote.

The 5th section having been read through as amended,

Mr. WELLS moved that the question on the adoption of the same be taken by yeas and nays, which were ordered, and being taken, resulted—yeas 45, nays 20, as follows:

*Affirmative*—Messrs. Ricaud, President pro tem., Morgan, Mitchell, Brent, of Charles, Merrick, Howard, Buchanan, Bell, Ridgely, Sherwood, of Talbot, Colston, Dashiell, Miller, Bowie, Tuck, Spencer, George, Wright, Dirickson, McMaster, Thomas, Shriver, Gaither, Biser, Annan, McHenry, Nelson, Thawley, Stewart, of Caroline, Hardcastle, Gwinn, Stewart, of Balt. city, Brent, of Balt. city, Sherwood, of Balt. city, Schley, Fiery, Neill, John Newcomer, Harbine, Anderson, Weber, Holliday, Slicer, Fitzpatrick, Parke, Shower and Brown—45.

*Negative*—Messrs. Lee, Donaldson, Wells, Kent, Sellman, Weems, John Dennis, Crisfield, Hicks, Goldsborough, Eccleston, Phelps, Sprigg, Bowling, Fooks, Jacobs, Sappington, Stephenson, Davis, Waters and Smith.

So the section was adopted.

The 6th section of the report was read as follows:

Sec. 6. The Legislature may hereafter, should the public convenience require it, increase the number of judges of the Court of Appeals to five, in which event a new division of the State into five judicial districts shall be made in such manner as to secure two to the Eastern and three to the Western Shore.

On motion of Mr. BOWIE, the 6th section was stricken out.

The 7th section of the report was then read as follows:

"Sec. 7. No Judge of the Court of Appeals shall sit in any case wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity within such degrees as may be prescribed by law, or when he shall have been of counsel in the cause; when the Court of Appeals, or any two of its members shall be thus disqualified to hear and determine any cause or causes in said court, or when no judgment can be rendered in any case or cases in said court, by reason of the equal division of opinions of said judges, the same shall be certified to the Governor of the State, who shall immediately commission the requisite number of persons learned in the law for the trial or determination of said case or cases."

On motion of Mr. BOWIE, the 7th section was amended by striking out in the 5th line thereof the word "two," and by striking out after the word "Court," in the 6th line, to the word "the," in the 8th line, and inserting in lieu thereof the words, "so that by reason thereof, no judgment can be rendered in said court."

Mr. HOWARD moved further to amend the 7th section by striking out in the 2d, 3d and 4th lines, the words "or where either of the parties may be connected with him by affinity or consanguinity within such degrees as may be prescribed by law."

Determined in the negative.

The 7th section having been read through as amended was adopted.

The 8th section was then read as follows:

"Sec. 8. All Judges of the Court of Appeals, of the County Courts, and of the Courts of the city of Baltimore, shall, by virtue of their offices, be conservators of the peace throughout the State; the style of all laws shall run thus: "Be it enacted by the General Assembly of Maryland." All public commissions and grants thus: "The State of Maryland," &c. and shall be signed by the Governor, with the seal of the State annexed; all writs and processes shall run in the same style, and be tested, sealed and signed as usual; and all indictments shall conclude, 'against the peace, government and dignity of the State.'"

On motion of Mr. BOWIE the 8th section was amended by striking out the words, "the style of all laws shall run thus: "Be it enacted by the General Assembly of Maryland," and inserting in lieu thereof, the word "and," and after the word "grants," inserting "shall run."

The 8th section was adopted as amended.

Mr. BOWIE moved that the Convention take up for consideration the 2d, 3d and 4th sections of the report which had been passed over informally.

Mr. CRISFIELD stated that he had an amendment to offer to the ninth section, and wished to make some remarks upon it. As the debate would cease on to-morrow, it would be a great accommodation to him for the Convention to proceed in order.

The motion was rejected.

The ninth section was read as follows:

"Sec. 9. There shall be a county court in each county of the State, to consist of one judge, who shall be elected by a plurality vote of the qualified and legal voters of said county, from among those learned in the law, having been admitted to practice the law in this State, and who shall have been a citizen of this State at least five years, and above the age of thirty years at the time of his election, and a resident of said county; the said judge shall hold his office for the term of ten years from the time of his election, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after, subject to be removed for incompetency, willful neglect of duty, misdemeanor in office, and such other causes as may be prescribed by law, by presentment of a grand jury, and conviction of a petit jury of said county, or by the Governor, upon the address of the General Assembly, two-thirds of the members of each House concurring in such address. His salary shall be two thousand dollars annually, which